IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3431 OF 2004

IN

SUIT NO. 645 OF 2004

Taramati Vithaldas Ajugia & ors .. Plaintiffs

versus

Bharat Vithaldas Ajugia & Anr. ..Defendant

...

Mr.P.M. Shah for the plaintiff.

Mr.Nandu Pawar for the defendant no.2.

Mr.S.B. Amin for the defendant no.3.

CORAM : D.G. KARNIK,J.

DATED : 11th January 2005.

P.C.:

1. Heard the learned counsel for the plaintiff and defendant no.1. Defendant no.1 is absent though served. Affidavit of service tendered by the learned Advocate for defendant no.2 is taken on record.

2. This motion is taken out by defendant no.2 for injunction. The plaintiff has no objection for granting interim relief in terms of prayer clause (c). Hence, motion is made absolute in terms of prayer clause (c) by consent.

3. As regards prayer clause (a), the plaintiff and defendant no.1 are directed to give to the defendant list of tenants and the rents received from them in respect of the properties in their constructive possession within a period of six weeks. Defendant no.2 to inform this order to defendant no.1 by Registered Post.

D.G. KARNIK, J